

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

JOHN DONALD KELSO,)
)
Plaintiff,)
)
-vs-) Case No. CIV-08-366-F
)
DAVID C. MILLER, Warden, et al.,)
)
Defendants.)

ORDER

United States Magistrate Judge Doyle W. Argo has issued a Report and Recommendation, wherein he recommends that plaintiff's complaint pursuant to 42 U.S.C. § 1983 be dismissed upon filing.

On July 24, 2008, plaintiff filed an objection to the Report and Recommendation. In his letter to the court clerk requesting the objection to be filed, plaintiff stated "more is to come." On June 28, 2008, plaintiff filed an additional objection to the Report and Recommendation.

The court has reviewed a *de novo* review of the matter in accordance with 28 U.S.C. § 636(b)(1). Having done so, the court concurs with the analysis and recommendation of Magistrate Judge Argo in regard to plaintiff's complaint. The court therefore accepts, adopts and affirms the Report and Recommendation in its entirety.¹

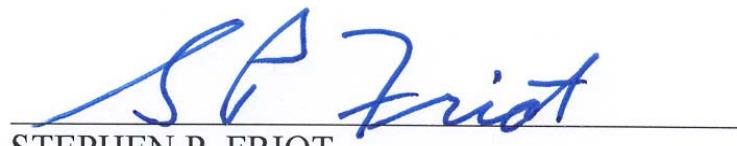
¹ In his initial objection, plaintiff states that the case needs to continue until all of his 608 lines of text have been certified. The court concludes that no certification is required and that no continuation of a ruling as to Magistrate Judge Argo's Report and Recommendation is necessary.

IT IS THEREFORE ORDERED that the Report and Recommendation issued by United States Magistrate Judge Doyle W. Argo on May 16, 2008 (doc. no. 8) is **ACCEPTED, ADOPTED and AFFIRMED.**

IT IS ALSO ORDERED that plaintiff, John Donald Kelso's complaint pursuant to 42 U.S.C. § 1983 is **DISMISSED** upon filing.

IT IS FURTHER ORDERED that judgment shall issue forthwith.

DATED July 29, 2008.



STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE

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